

**REMARKS**

The Applicants have cancelled claims 1-3 and 12-13.


The Examiner has rejected claims 4 and 14 as being unpatentable over Ham III in view of Dacus. The Applicants respectfully traverse the rejection of these two claims.

The Applicants believes that a *prima facie* case of obviousness has not been made out with respect to these two claims. The Examiner has not even alleged that there is some evidence of record that suggests the combination or modification of the references to arrive at the claimed invention. Without some evidence of record which teaches or suggests the combination of the references, the assertion of obviousness by the Examiner is merely applying un-permissible hindsight. When the cited references provide not even a discussion of a motivation to make a modification, then no *prima facie* case of obviousness has been made.

The Applicants believe that the precise problem to be solved by the present invention is not squarely addressed by the cited references. Consequently, when the problems being solved are not the same, then some evidence of record suggesting the modification is required to make out a *prima facie* case of obviousness.

The Applicants believe that with claims 1-3 and 12-13 being cancelled, the application is now in condition for allowance, and early notification of the same would be much appreciated.

Respectfully submitted,

  
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